

3.4 RIGHT-OF-WAY AND RELOCATIONS

This analysis identifies the property acquisitions and relocations needed for the two proposed Build Alternatives, as some property must be acquired by CDOT to reconstruct and widen I-25, reconstruct interchanges, and realign local roadways.

The impact analysis in this section compares the number of residential, commercial, vacant undeveloped, and publicly-owned properties potentially impacted by each Build Alternative and examines the needs of displaced parties or businesses, with an emphasis on finding equivalent housing stock or commercial space. The availability of real estate or land for relocations and any zoning considerations is also examined.

3.4.1 Affected Environment

The width of CDOT's right-of-way (ROW) along I-25, much of which was acquired in the 1950s, varies throughout the corridor. ROW widths range between approximately 100 feet and 180 feet along portions of the alignment that have no interchanges or frontage roads. The ROW widths are widest in areas with interchanges and frontage roads to accommodate these features.

In areas where the existing ROW width is constrained, ROW acquisition would be required to accommodate highway widening or realignment.

Land uses along I-25 within the project corridor are a mixture of undeveloped land, industrial, residential, and business uses. **Section 3.8 Land Use** and **Section 3.6 Social Resources, Economic Conditions, and Environmental Justice** provide a detailed description of land use and neighborhoods in the project corridor.

3.4.2 Environmental Consequences

The impact analysis identifies total and partial property acquisitions that CDOT would need to construct each of the proposed Build Alternatives. To identify ROW needs, the project footprint and each Build Alternative's alignment were overlaid on aerial maps with property boundaries provided by the City and the Pueblo County Assessor. The project footprint includes all permanent improvements to the highway, including side slopes required to tie into the adjacent land, and areas necessary to construct water

quality features. The estimated ROW requirements were then refined to minimize ROW acquisition where feasible.

According to a Memorandum of Understanding (MOU) signed between CDOT and the City in March 2010, ROW for stormwater detention/water treatment ponds would not need to be acquired for the project when those facilities are located on City- or Pueblo County-owned property (see **Appendix F**). Maintenance and ownership of stormwater facilities will be in accordance with the MOU signed between CDOT and the City in March 2010. The analysis below describes the residential, commercial/industrial, public, and vacant undeveloped properties potentially impacted; the number of businesses that may be displaced; and zoning considerations for potential relocations, such as zoning requirements for restricted uses like liquor stores. The analysis also describes whether there is adequate available residential and commercial real estate for sale to accommodate residential relocations and business displacements.

Right-of-Way Definitions

Total Acquisition: Acquisition of an entire property.

Partial Acquisition: Acquisition of a portion of a property.

Business Displacement: Acquisition of a property on which a business operates. A single property may contain multiple businesses, resulting in several business displacements from the acquisition of one property.

Fair Market Value: The value at which a property could be sold in an open market under ordinary circumstances with a willing seller and a willing buyer.

The ROW estimates that have been identified at this time are conceptual due to the preliminary level of design for the project. Actual ROW impacts will be determined during final design. The CDOT Project Team made significant efforts during the design of each Build Alternative to minimize ROW acquisition throughout the corridor.

Some impacts to properties may be avoided or minimized during final design by using strategies such as steepening side slopes adjacent to roads, constructing retaining walls, and/or shifting road alignments. During final design, engineers and design staff will evaluate the practicality and benefit of such measures while weighing risk, safety, and the ability of the residence or business to function with

either direct or indirect impacts (such as loss of parking or limited access).

Properties are identified as “total acquisitions” if the Build Alternatives would traverse the principle structure on the property (such as a business or residence), even if the remainder of the property is not affected. Other properties would be totally acquired because ROW needs would impact most of the property, substantially impair access, or the project would so severely impact the property that it would become economically unviable.

Properties are identified as “partial acquisitions” if the alternative would acquire a portion of a property but would still allow the property to function normally. In this situation, the buildings on a property would remain and adequate access and parking would be maintained.

Business displacement would occur when a business operates on a property that would be totally acquired. In several locations, multiple businesses operate on a single property, whether housed in one building or separate buildings. The number of displacements does not include home-based businesses identified as residential properties by the Pueblo County Assessor’s office or residential rental properties that generate income.

As discussed in **Chapter 5 – Phased Project Implementation**, CDOT would likely phase the project over multiple years, depending on the availability of funding for the project. Residences would be purchased over multiple years in order to locate comparable housing for displaced residents. When determining whether the housing market can absorb the relocated residences, CDOT has and will continue to evaluate comparable housing stock availability. If, during phasing, comparable housing is not available for impacted residents, CDOT will work with those impacted residents to find comparable or better homes under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act). The Uniform Act is a federally mandated program that applies to all acquisitions of real property or displacements of persons resulting from federal or federally assisted programs or projects. It was created to provide for and ensure that the provisions contained within this Act are applied “uniformly.”

No major employers are present in the immediate study area. Major employers are those with more than 50 employees. The Evraz Rocky Mountain Steel Mill, while a major employer, has relocated the primary functional buildings that house employees away from the I-25 corridor. Therefore, relocation of employee-related functions on the steel mill property would not occur as a result of the New Pueblo Freeway project.

When evaluating whether businesses have sufficient places to relocate, business size, type, and location are essential considerations. Small employers (less than 50 employees) can be accommodated more readily compared to major employers as numerous smaller vacant commercial properties are available throughout the I-25 corridor. It is anticipated that comparable replacement sites can be found for the range of commercial relocations.

Comparable Housing as Defined by CDOT’s Right-of-Way Manual (CDOT, 2011)

Displaced residents must be relocated to dwellings that are similar to the original dwellings that are being acquired. This is known as comparable housing. Comparable housing must be decent, safe, and sanitary, and must be adequate in size to accommodate all occupants. The principle features of comparable housing must be equivalent to the displaced dwelling, such as a similar number of rooms. Comparable housing must be in a location of similar desirability as the location of the displaced dwelling with respect to commercial and public facilities and access to the person’s place of employment. Finding comparable housing means finding a home that can meet the needs of relocated residents as well as their current housing.

3.4.2.1 No Action Alternative

The No Action Alternative would not require ROW acquisitions or displacements.

3.4.2.2 Build Alternatives

Both of the Build Alternatives would require ROW acquisitions for proposed improvements. The detailed alternative maps (see **Appendix E**) provide additional information on the design of each alternative. The Existing I-25 Alternative would acquire approximately 36 fewer properties than the Modified I-25 Alternative (Preferred Alternative) and approximately 25 fewer acres of land area, including land acquired through both total and partial acquisitions. The Existing I-25 Alternative requires six fewer

businesses to be displaced than the Modified I-25 Alternative (Preferred Alternative).

Most of the residential properties to be acquired are single-family homes. Residential property acquisitions represent the largest category of total property acquisitions under both Build Alternatives. However, because residential properties are typically small, they account for the lowest total acreage.

The total land area acquired by property type under the Existing I-25 Alternative is composed of the following uses:

- ❖ 6 percent residential
- ❖ 8 percent public
- ❖ 42 percent vacant undeveloped
- ❖ 44 percent commercial

The total land area acquired by property type under the Modified I-25 Alternative (Preferred Alternative) is composed of the following uses:

- ❖ 8 percent residential
- ❖ 8 percent public
- ❖ 39 percent vacant undeveloped
- ❖ 45 percent commercial

Exhibit 3.4-1 lists an estimate of the ROW impacts for each

EXHIBIT 3.4-1

Acquisitions by Property Type for Build Alternatives

Property Type	Existing I-25 Alignment ¹	Modified I-25 Alignment (Preferred Alternative) ¹
Residential	87 total acquisitions (9 acres) 2 partial acquisitions (< 1 acre) 89 all acquisitions (9 acres)	117 total acquisitions (14 acres) 0 partial acquisitions (0 acres) 117 all (14 acres)
Commercial ²	53 total acquisitions (32 acres) 25 partial acquisitions (36 acres) 78 all acquisitions (68 acres)	56 total acquisitions (34 acres) 26 partial acquisitions (46 acres) 82 all (80 acres)
Public ³	13 total acquisitions (6 acres) 13 partial acquisitions (6 acres) 26 all acquisitions (12 acres)	15 total acquisitions (9 acres) 15 partial acquisitions (6 acres) 30 all (15 acres)
Vacant Undeveloped	66 total acquisitions (27 acres) 14 partial acquisitions (37 acres) 80 all acquisitions (65 acres)	58 total acquisitions (27 acres) 22 partial acquisitions (42 acres) 80 all (69 acres)
Total	219 total acquisitions (74 acres) 54 partial acquisitions (80 acres) 273 all acquisitions (154 acres)	246 total acquisitions (84 acres) 63 partial acquisitions (94 acres) 309 all acquisitions (178 acres)

Source: CH2M HILL, 2010d.

¹ The sum of total and partial acquisition acreage may differ from all acquisition acreage presented in the table due to rounding.

² Includes commercial, industrial, utility, railroad, and other privately owned, non-residential properties.

³ Includes properties owned by the City of Pueblo, Pueblo County, and other public entities.

of the Build Alternatives by property type. A more detailed discussion of acquisitions by corridor segment follows. The *Right-of-Way and Relocation Technical Memorandum, New Pueblo Freeway* contains an atlas of corridor improvements and property impacts (CH2M HILL, 2010d).

At the time of data collection, in 2004, the median square footage of homes in the project area was between 900 and 1,550 square feet. Most residences that would be potentially acquired were built around 1900 and have two or three bedrooms and one bathroom. The median square footage for the residences being acquired is in the range of 900 square feet. Approximately 150 comparable homes in Pueblo were listed for sale in 2006, most with a list price of \$60,000 or less (Roberts, 2006).

The number of available homes indicates that there may be many opportunities to relocate displaced residents into comparable housing in Pueblo. Due to the potential high number of relocations, concerns exist over the ability of individual neighborhoods to accommodate relocated residents into comparable housing. No residential occupant will be required to relocate without comparable housing being provided. If comparable housing is not available for

impacted residents, CDOT will work with those impacted residents under the Uniform Act to move them into a comparable or better home. However, because construction of the project is being phased, relocations from either alternative would not occur at the same time, thereby allowing the housing market adequate time to absorb these relocations. **Section 3.6 Social Resources, Economic Conditions, and Environmental Justice** contains more information on individual neighborhood impacts.

North Area (Phase 1)

Both Build Alternatives would require ROW to widen the highway from four lanes to six lanes throughout the entire project corridor. In the North Area (Phase 1), both Build Alternatives would involve straightening I-25 adjacent to downtown, which would require the purchase of additional ROW. Other roadway improvements that would need new ROW in the North Area (Phase 1) include the modified interchange at US 50B, the extension of Dillon Drive between 26th Street and US 50B, the frontage roads from the US 50B interchange to 29th Street, a new split-diamond interchange at 13th Street and 1st Street, and an associated ramp between 13th Street and 1st Street. Property acquisitions in the North Area (Phase 1) are shown in **Exhibit 3.4-2**.

Total acquisitions would require relocation of residences, displacement of businesses, or other uses for the property because the entire property would be acquired by CDOT.

The total acquisitions in the North Area (Phase 1), between 29th Street (Exit 100B) and Ilex Street (Exit 98A), would be the same for both Build Alternatives because the two alternatives are coincident in the North Area (Phase 1).

Generally, partial acquisitions would not require displacements of residences or businesses because the existing buildings or major features (such as parking) on the properties would not be impacted. The partial acquisitions in the North Area (Phase 1) would be the same for both Build Alternatives.

Residential. In the North Area (Phase 1), 16 single-family homes would be acquired in the Downtown Neighborhood, east of I-25 between State Highway (SH) 96 (4th Street) and Clarence Street. No partial acquisitions are expected for residential properties. These properties are shown in **Exhibit 3.4-2**.

Commercial. Commercial properties represent the largest category of total acquisitions in the North Area (Phase 1). Commercial properties include commercial, office, industrial, utility, and other privately owned, non-residential properties. An estimated 28 commercial properties would be totally acquired to construct the proposed improvements.

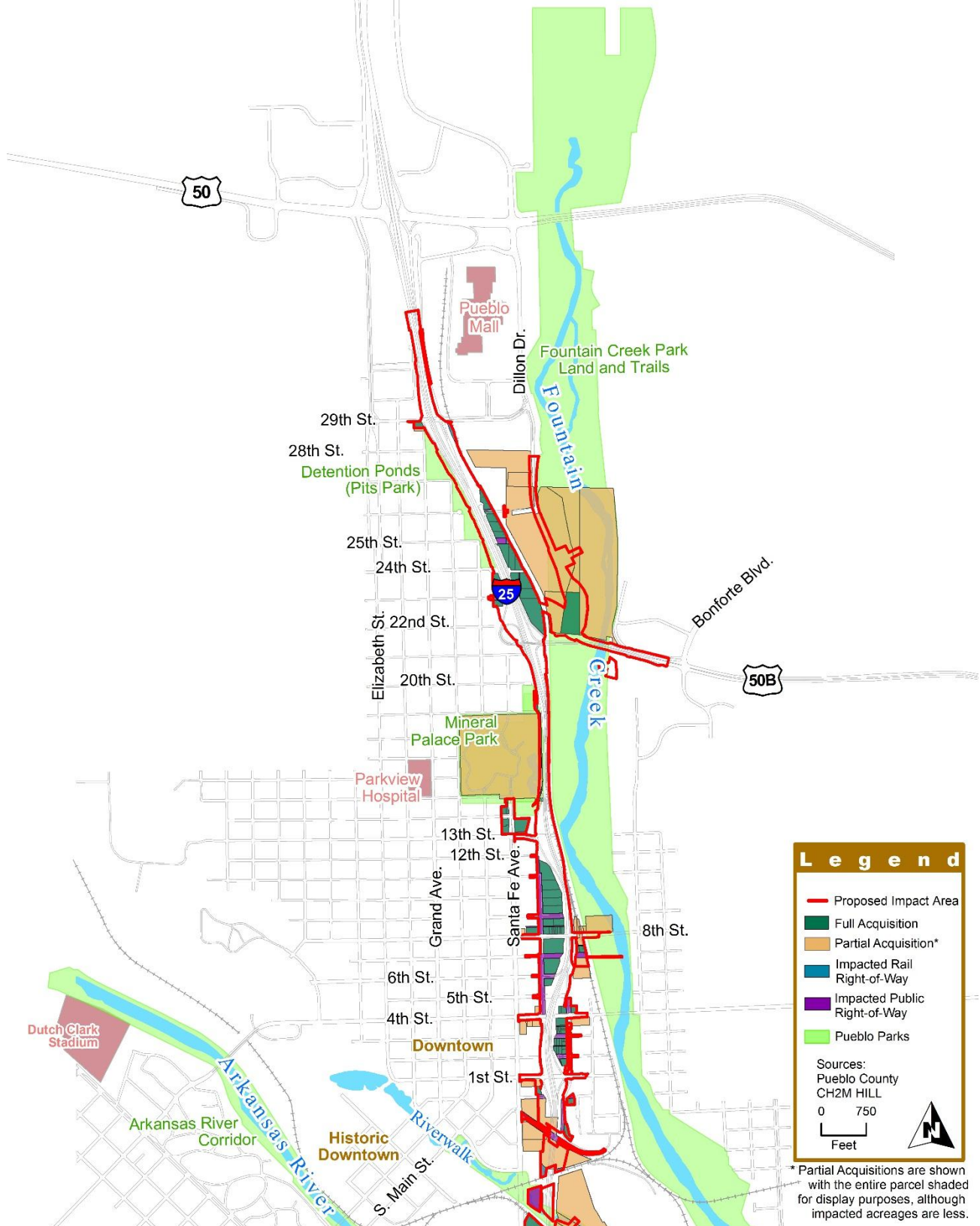
Twelve commercial properties would be partially acquired under both Build Alternatives, which includes the extension of Dillon Drive south to US 50B and street widening or pedestrian improvements on east-west streets crossing I-25 (primarily 8th Street, SH 96 [4th Street], and 1st Street). CDOT would acquire a small portion of the properties' frontage or a small portion of the properties' parking along the east-west streets crossing I-25. These properties are shown in **Exhibit 3.4-2**.

The former YMCA-owned property was considered a commercial property and business displacement for purposes of this analysis, although as of May 2010, the YMCA voluntarily relocated to another location and this parcel was acquired by CDOT. Another property qualified as a business relocation in the North Area (Phase 1) that may be totally acquired is the American Legion Hall (G.I. Forum).

Along the UPRR rail line, both Build Alternatives would encroach upon railroad property, resulting in a partial land acquisition, but neither alternative would require the relocation of tracks.

Public. Nine publicly-owned properties in the North Area (Phase 1) would be totally acquired and 11 would be partially acquired. These properties, shown in **Exhibit 3.4-2**, include City-owned park land along Fountain Creek, land at various locations between I-25 and the railroad, and a 50-foot-wide section along the entire east boundary of Mineral Palace Park (described further in **Section 3.2 Historic Properties, Section 3.3 Parks and Recreation, and Chapter 4 – Section 4(f) Evaluation**).

Vacant Undeveloped. Vacant undeveloped properties represent the second largest category of acquisitions in the North Area (Phase 1). In the North Area (Phase 1), 21 vacant undeveloped properties would be totally acquired and 5 vacant undeveloped properties would be partially acquired.

EXHIBIT 3.4-2**Right-of-Way Acquisitions in the North Area (Phase 1)**

Business Displacements. In the North Area (Phase 1), 25 businesses would be displaced under both Build Alternatives. Many of these businesses employ full-time employees and have specific property considerations such as the need to be near the highway for access, visibility, or service to the existing neighborhood. These properties are shown in **Exhibit 3.4-2**. **Exhibit 3.4-3** lists the business types that would be displaced in the North Area (Phase 1) by either Build Alternative.

South Area (Phase 2)

Both Build Alternatives would need new ROW for the reconstructed interchange at Pueblo Boulevard, which would include a partial cloverleaf and realignment of SH 45 east of the cloverleaf. In addition, ROW would be needed to accommodate highway widening. Property acquisitions in the South Area (Phase 2) are shown in **Exhibit 3.4-5**.

Residential. No total or partial acquisitions of residential properties would be required in the South Area (Phase 2).

Commercial. The new interchange at I-25 and Pueblo Boulevard/SH 45 would require total acquisition of two commercial properties. Six commercial properties would be partially acquired, most because of the new interchange at

I-25 and Pueblo Boulevard/SH 45. These properties are shown in **Exhibit 3.4-5**.

Public. No total or partial acquisitions of publicly-owned properties would be required in the South Area (Phase 2).

Vacant Undeveloped. The new interchange at I-25 and Pueblo Boulevard/SH 45 would require total acquisition of two vacant undeveloped properties. Seven vacant undeveloped properties would also be partially acquired in the South Area (Phase 2).

Business Displacements. In the South Area (Phase 2), four businesses would be displaced under either Build Alternative. **Exhibit 3.4-4** lists the business types that would be displaced in the South Area (Phase 2). These properties are shown in **Exhibit 3.4-5**.

Central Area (Phase 2)

Right-of-way impacts in the Central Area (Phase 2) of the corridor, between Ilex Street and Nevada Avenue (2 blocks south of Exit 96), vary by Build Alternative. The Existing I-25 Alternative would generally follow the existing alignment in this area and would require fewer acquisitions than the Modified I-25 Alternative (Preferred Alternative), which would realign I-25 to the east.

EXHIBIT 3.4-3

North Area (Phase 1) Businesses Displaced by both Build Alternatives¹

Auto sales (6)	Radio station (1)
Auto/truck repair/service (2)	Restaurant (2)
Fitness center (2)	Retail merchandiser (4)
Food and beverage distributor (1)	Sign company (1)
Motel/lounge (3)	Telecommunications retailer (1)
Private club (1)	Veterinary clinic (1)

Source: CH2M HILL, 2010d.

¹ Numbers in parentheses indicate the number of businesses of this type.

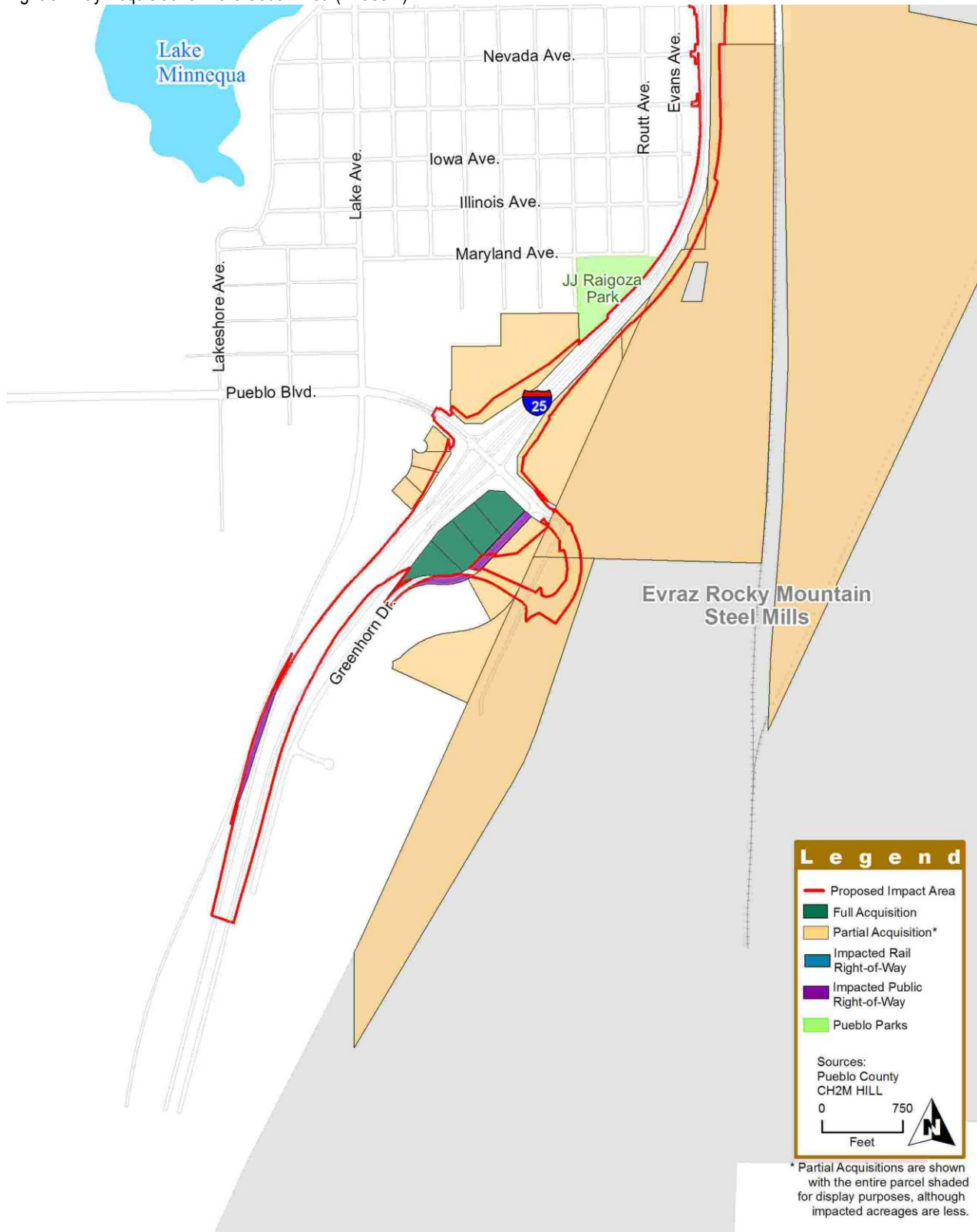
EXHIBIT 3.4-4

South Area (Phase 2) Businesses Displaced by both Build Alternatives¹

Auto salvage (1)	Landscaping (1)	Construction/Contractor (2)
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Source: CH2M HILL, 2010d.

¹ Numbers in parentheses indicate the number of businesses of this type.

EXHIBIT 3.4-5**Right-of-Way Acquisitions in the South Area (Phase 2)**

Existing I-25 Alternative

In addition to ROW needed for highway widening, other roadway features would require ROW acquisition. New ROW would be required for three areas: the new split diamond interchange at Abriendo Avenue and Northern Avenue along with an associated frontage road system between Abriendo Avenue and Northern Avenue; the connection of Abriendo Avenue and Santa Fe Drive; and the reconstructed interchange at Indiana Avenue. Property acquisitions in the Central Area (Phase 2) under the Existing I-25 Alternative are shown in **Exhibit 3.4-6**.

Residential. Residential properties represent the largest category of acquisitions in the Central Area (Phase 2). An estimated 71 residential properties would be acquired to construct the proposed improvements. All of the homes that would be acquired in the Central Area (Phase 2) are in the Bessemer Neighborhood. Two residential properties would be partially acquired to construct proposed improvements. A portion of the backyards would be acquired to accommodate the new ramps south of Summit Avenue on Box Elder Street. These properties are shown in **Exhibit 3.4-6**.

Commercial. In the Central Area (Phase 2), 23 commercial properties would be totally acquired for road widening and interchange improvements. On seven properties, the land currently used for parking and equipment storage would be partially acquired. Businesses on these properties would be able to continue their existing operations because the impacted parking and equipment storage could be relocated to other portions of the properties. These properties are shown in **Exhibit 3.4-6**.

Public. Four small publicly-owned properties would be totally acquired in the Central Area (Phase 2). One is an undeveloped property adjacent to the river walk and another is an undeveloped property in the middle of highway ROW adjacent to Santa Fe Boulevard. Two publicly-owned properties in the Central Area (Phase 2) would be partially acquired: Benedict Park and parcels owned by the Pueblo Conservancy District (discussed in **Section 3.3 Parks and Recreation** and **Chapter 4 – Section 4(f) Evaluation**).

Vacant Undeveloped. Vacant undeveloped properties represent the second largest category of acquisitions in the Central Area (Phase 2). Forty-three vacant undeveloped properties would be totally acquired. Two vacant undeveloped properties would be partially acquired. These properties are shown in **Exhibit 3.4-6**.

New land would become available as a result of the reconfiguration of the Abriendo Avenue interchange. The MOU between CDOT and the City (March 2010) provides more details about the future use of this land (see **Appendix F**).

Business Displacements. Under the Existing I-25 Alternative, 30 businesses would be displaced from the Central Area (Phase 2). Many of these businesses employ full-time employees and have specific property considerations such as industrial zoning and the need to be near the highway for access, visibility, or service to the existing neighborhood. **Exhibit 3.4-7** lists the business types that would be displaced.

EXHIBIT 3.4-6

Right-of-Way Acquisitions in the Central Area (Phase 2) under the Existing I-25 Alternative

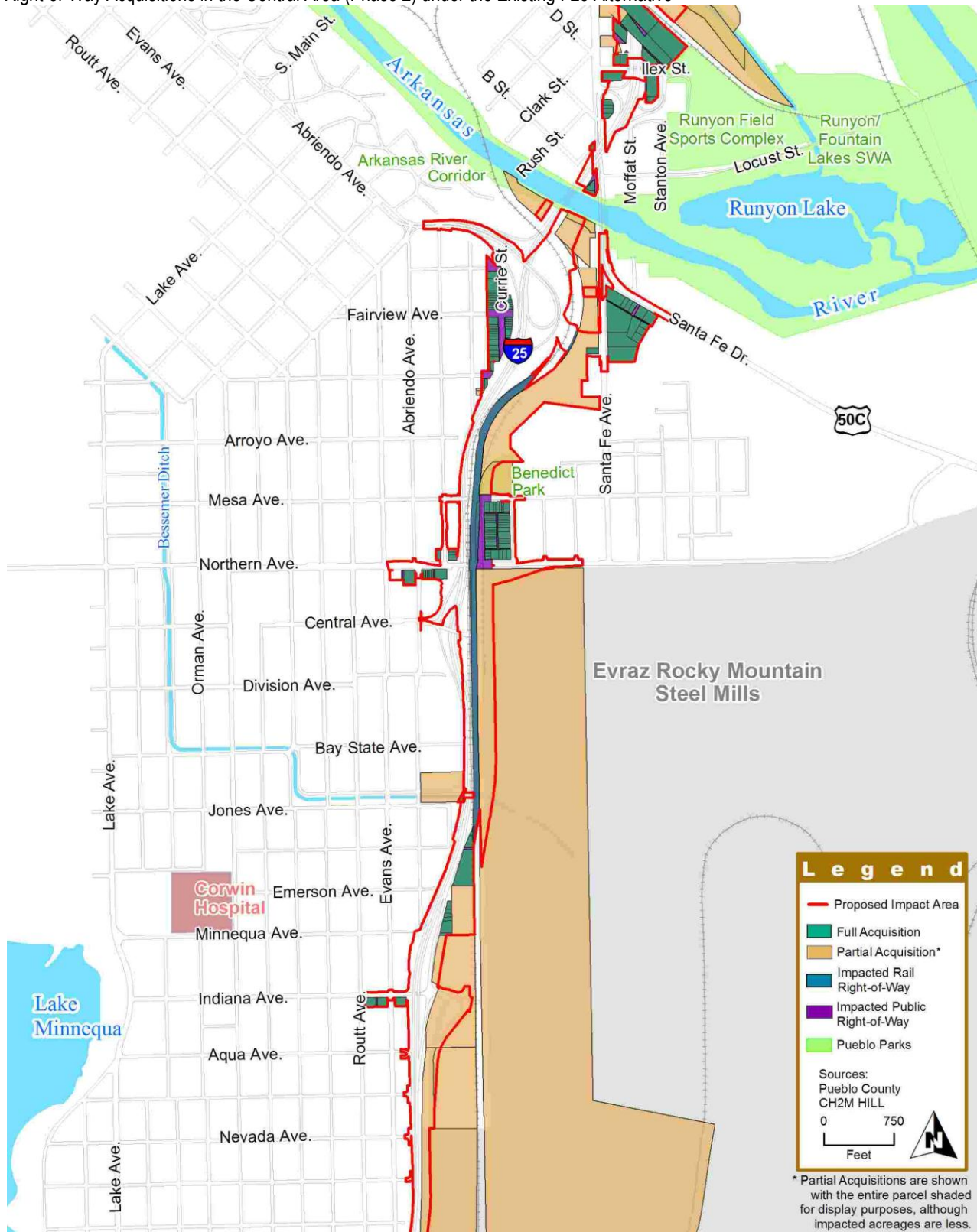


EXHIBIT 3.4-7**Central Area (Phase 2) Business Displacements¹ by Existing I-25 Alignment**

Auto/truck repair/service (3)	Personal services (2)
Construction contractor (3)	Restaurant/caterer (2)
Convenience store (2)	Retail liquor (1)
Equipment rentals (1)	Retail merchandiser (6)
Food and beverage distributor (2)	Tavern (2)
Medical service (1)	Wholesale merchandiser (1)
Metals recycling/fabrication (2)	Unknown (2)

Source: CH2M HILL, 2010d.

¹ Numbers in parentheses indicate the number of displaced businesses of this type.

Modified I-25 Alternative (Preferred Alternative)

The Modified I-25 Alternative (Preferred Alternative) would move the highway alignment to the east between Ilex Street and Nevada Avenue and extend Santa Fe Avenue south along the existing I-25 ROW to Minnequa Avenue, requiring new ROW to be acquired. New ROW would be required for new interchanges at Abriendo Avenue, Northern Avenue, and Indiana Avenue; for the connection of Abriendo Avenue and Santa Fe Drive; and for the extension of Stanton Avenue south to Santa Fe Avenue. Property acquisitions in the Central Area (Phase 2) under the Modified I-25 Alternative (Preferred Alternative) are shown in **Exhibit 3.4-8**.

Residential. Residential properties represent the largest category of acquisitions in the Central Area (Phase 2). An estimated 101 residential properties would be acquired to construct the proposed improvements.

The residences in the Grove Neighborhood between I-25 and the Runyon Field Sports Complex would be acquired due to the redesigned highway alignment. The current alignment bisects this part of the Grove Neighborhood, and access to the neighborhood from the local street system is difficult. The majority of Grove Neighborhood residents have

voiced their support of the Modified I-25 Alternative (Preferred Alternative) and the acquisition of their homes.

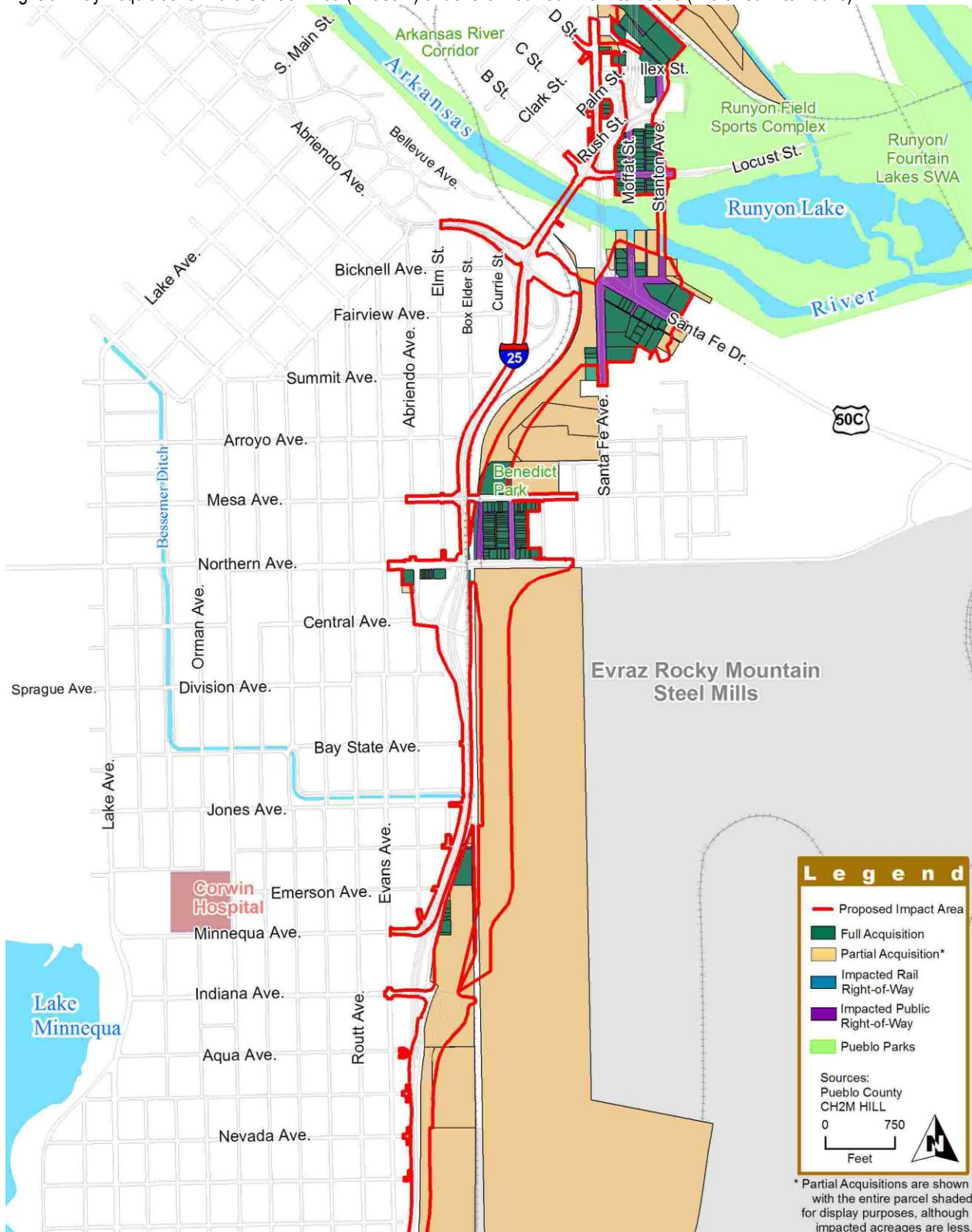
Homes in the Eiler Heights sub-area of the Bessemer Neighborhood (south of the existing Benedict Park) would be acquired as well. Most of the 2 blocks between Mesa Street and Northern Avenue and I-25 and Berwind Street would be acquired to accommodate the new highway alignment. These properties are included in **Exhibit 3.4-8. Section 3.6 Social Resources, Economic Conditions, and Environmental Justice** contains more information on neighborhood impacts.

No residential properties would be partially acquired.

Commercial. Twenty-six commercial properties in the Central Area (Phase 2) would be totally acquired for highway widening and interchange improvements. On eight properties, the land currently used for parking and equipment storage would be partially acquired. Businesses on these properties would be able to continue their existing operations because the impacted parking and equipment storage could be relocated to other portions of the properties. These properties are also shown in **Exhibit 3.4-8**.

EXHIBIT 3.4-8

Right-of-Way Acquisitions in the Central Area (Phase 2) under the Modified I-25 Alternative (Preferred Alternative)



Public. Six publicly-owned properties in the Central Area (Phase 2) of the corridor would be totally acquired. These six properties include Benedict Park and five small undeveloped properties.

Land would become available at the Abriendo Avenue interchange, between Santa Fe Boulevard and the railroad, and west of the new I-25 alignment between Minnequa Avenue and Indiana Avenue. The MOU between CDOT and the City (March 2010) provides more details about the future use of this land (see **Appendix F**).

Four parcels owned by the Pueblo Conservancy District would be partially acquired to accommodate the new I-25 alignment over the Arkansas River. These are open space properties in the Arkansas River corridor, immediately south of the Arkansas River.

Vacant Undeveloped. Vacant undeveloped properties represent the second-largest category of acquisitions in the Central Area (Phase 2). Thirty-five vacant undeveloped properties would be totally acquired to accommodate the new highway alignment and interchange improvements. Ten vacant undeveloped properties would be partially acquired.

Business Displacements. Under the Modified I-25 Alternative (Preferred Alternative), 36 businesses would be displaced from the Central Area (Phase 2). Many of these businesses employ full-time employees and have specific property considerations such as industrial zoning and the need to be near the highway for access, visibility, or service to the existing neighborhood. **Exhibit 3.4-9** lists the business types that would be displaced.

3.4.2.3 Indirect Effects

Parcels or tax lots might become uneconomic remainders through partial acquisition or change of access. While generally considered a direct impact, if acquired tax lots impede or change future development plans, they might be considered indirect impacts. Both Build alternatives would have the potential to create uneconomic remainders of tax lots. However, the potential for indirect effects is low because the majority of parcels are completely acquired (relocated) and those with partial acquisitions are generally “sliver” acquisitions that are adjacent to the existing ROW and do not create uneconomic remainder parcels.

EXHIBIT 3.4-9

Central Area (Phase 2) Business Displacements¹ by Modified I-25 Alternative (Preferred Alternative)

Auto/truck repair/service (4)	Restaurant/caterer (1)
Construction contractor (4)	Retail liquor (1)
Convenience store (1)	Retail merchandiser (6)
Equipment/auto rental (2)	Tavern (4)
Food and beverage distributor (2)	Wholesale merchandiser (1)
Medical service (2)	Unknown (3)
Metals recycling/fabrication (2)	Utility (1)
Personal services (2)	

Source: CH2M HILL, 2010d.

¹ Numbers in parentheses indicate the number of displaced businesses of this type.

3.4.3 Mitigation

The following legally required mitigations apply to both the Existing I-25 Alternative and the Modified I-25 Alternative (Preferred Alternative):

- ❖ All property acquisition and relocation shall comply fully with federal and state requirements, including Uniform Act defined previously. CDOT requires Uniform Act compliance on any project for which it has oversight responsibility, regardless of the funding source. Additionally, the Fifth Amendment of the United States Constitution provides that private property may not be taken for a public use without payment of "just compensation." All impacted residential or commercial properties will be provided notification of CDOT's intent to acquire an interest in their property, including a written offer letter of just compensation specifically describing those property interests. A ROW Agent will be assigned to each property owner to assist them with this process.
- ❖ In certain situations, it may be necessary to acquire improvements that are located within a proposed acquisition parcel. In those instances where the improvements are occupied, it would become necessary to "relocate" those individuals from the subject property (residential or business) to a replacement site. The Uniform Act provides for numerous benefits to these individuals to assist them both financially and with advisory services related to relocating their residence or business operations.

While the benefits available under the Uniform Act are far too numerous and complex to discuss in detail in this document, they are available to both owner occupants and tenants of either residential or business properties. In some situations, only personal property must be moved from the real property, and this is also covered under the relocation program. As soon as feasible, any person scheduled to be displaced shall be furnished with a general written description of the displacing Agency's relocation program, which provides, at a minimum, detailed information related to eligibility requirements, advisory services and assistance, payments, and the appeal process. It shall also provide notification that the displaced person(s) will not be required to move without at least 90 days advance written notice. For residential relocations, this

notice cannot be provided until a written offer to acquire the subject property has been presented and at least one comparable replacement dwelling has been made available. Relocation benefits will be provided to all eligible persons regardless of race, color, religion, sex, or national origin. Benefits under the Uniform Act, to which each eligible owner or tenant may be entitled, will be determined on an individual basis and explained in detail by an assigned ROW Agent.

- ❖ CDOT would likely phase the project over multiple years, depending on the availability of funding for the project, and would purchase residences over multiple years in order to locate comparable housing for displaced residents. Based on research conducted for this FEIS, the current available housing is sufficiently small to raise concerns about the ability to concurrently relocate all impacted residents into comparable and adequate housing. However, because the project is being phased and all acquisitions would occur over the long-term planning horizon, all accommodations are expected to have comparable and available housing.
- ❖ During phasing, if comparable housing is not available for impacted residents, CDOT will work with those impacted residents under the Uniform Act to move them into a comparable or better home.
- ❖ For City-owned properties, acquisitions would likely take place through transfer of title from the City to the State of Colorado rather than through monetary compensation. These properties would be secured for construction of the Build Alternative, and a clear delineation of responsibility and ownership would be established prior to the transfer of ownership. These properties are considered mutually beneficial, and the MOU between CDOT and the City (March 2010) specifies the future land exchange, ownership, and maintenance responsibilities (see **Appendix F**). A future Intergovernmental Agreement will address ownership of excess ROWs.

For acquisition of property necessary to mitigate impacts to Mineral Palace Park, the City will assist in property acquisition as outlined in the MOU between CDOT and the City (see **Appendix F**) and as described in **Section 3.2 Historic Properties**.